

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

CAROLINE H. SHRYOCK and GAYLE L.  
LEWIS as Trustees of THE CAROLINE H.  
SHRYOCK LIVING TRUST,

Plaintiffs,

v.

Case No. 1:16-CV-00819 SCY/KK

PHL VARIABLE INSURANCE  
COMPANY; DIAMOND & ASSOCIATES  
RETIREMENT PLANNING SERVICES,  
INC.; and MARK STEPHEN DIAMOND,

Defendants.

**NOTICE OF INTENT TO ISSUE SUBPOENA FOR PRODUCTION OF DOCUMENTS**

Pursuant to Fed. R. Civ. P. 45(a)(4), Defendants Diamond Retirement Planning Services, Inc. and Mark Stephen Diamond give notice that they intend to issue and serve the attached subpoena requiring the production of documents and electronically stored information.

DATED: February 23, 2017

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Jared L. Sutton

Ross L. Crown

Edwin A. Barkel (admitted *pro hac vice*)

Jared L. Sutton (admitted *pro hac vice*)

201 Third Street NW, Suite 1950

Albuquerque, NM 87102-4388

Tel: 505.764.5400

Fax: 505.764.5480

E-mail: rcrown@lrrc.com

ebarkel@lrrc.com

jsutton@lrrc.com

Attorneys for Defendants Diamond Retirement  
Planning Services, Inc., and Mark Stephen  
Diamond

**CERTIFICATE OF SERVICE**

I certify that on February 23, 2017, I electronically transmitted the attached document to the Office of the Clerk of the U.S. District Court using the CM/ECF System which will send notification of such filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants for this case, including:

Clinton W. Marrs  
MARRS GRIEBEL LAW LTD.  
1000 Gold Avenue SW  
Albuquerque, New Mexico 87102  
clinton@marrslegal.com

– and –

Rob Treinen  
TREINEN LAW OFFICE PC  
500 Tijeras Avenue NW  
Albuquerque, New Mexico 87102  
robtreinen@treinenlawoffice.com

*Attorneys for Plaintiffs*

By /s/ Jared L. Sutton